

COMMITTEE AMENDMENT FORM

Committee: ZONING

Page Number: Conditions Attached

Ordinance I.D. # 06-O-2055 (Z-06-103) Section(s) _____

Resolution I.D. # _____ Paragraph _____

At the meeting of the Zoning Committee held on February 28, 2007, the following conditions were attached to the ordinance as an amendment:

(1) Notwithstanding the impact of this rezoning on adjoining properties, it is recognized that, previous to any action on the subject rezoning application, Application No. SAP -06-166 was filed on behalf of John Wieland Homes and Neighborhoods, Inc. for property located at 1285, 1293 and 1307 Peachtree Road, which specifically requests approval of a building with a height that would violate the applicable transitional height plane if 61 16th Street had already been rezoned. In this regard, this rezoning request is not intended to frustrate an effort to develop the property identified in Application No. SAP-06-166 in the manner described in said application, particularly as it relates to building height even if SAP-06-166 should be amended in other respects. This condition shall remain in effect unless SAP-06-166 is withdrawn.

Z-06-103

06-0-2055

City Council
Atlanta, Georgia

AN ORDINANCE

BY: COUNCILMEMBER ANNE FAUVER

Date Filed: 9-5-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **61 16th Street, N.E.** be changed from the (SPI-16, Subarea 1) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 105, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT 'A'



0 20 40 Feet

